

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KITSAP RIFLE AND REVOLVER
CLUB,

Plaintiff,

v.

NORTHLAND INSURANCE
COMPANY,

Defendant.

CASE NO. C11-5021 BHS

ORDER

THIS MATTER is before the Court on plaintiff Kitsap Rifle and Revolver Club (KRRC)'s motion for reconsideration, Dkt. 110, of the Court's Order, Dkt. 108, granting defendant Northland Insurance Company's summary judgment motion, Dkt. 85.

KRRC asserts that the Court erred in failing to determine as a matter of law that KRRC had a past duty to defend, and the specific date on which that duty attached, notwithstanding the fact that Northland defended KRRC in the underlying lawsuit from January 27, 2011, through the date of this Court's Order. It argues that the date the duty was triggered is important for its claim to *Olympic Steamship* attorneys' fees. It also

1 argues that Northland remains responsible for past defense costs of “more than \$48,000.”
2 Dkt. 110 at 5–7.

3 Under Local Civil Rule 7(h), the Court cannot grant a motion for reconsideration
4 unless the opposing party has an opportunity to respond.

5 The Court therefore **REQUESTS** that Defendant Northland respond to KRRC’s
6 motion for reconsideration. The response should address KRRC’s arguments about the
7 “trigger date” and its importance, and KRRC’s apparent claim for *Olympic Steamship*
8 fees between October 28, 2010, and January 27, 2011. It is not clear to the Court whether
9 the \$48,000 relates to that limited time period, or reflects counsel’s bill for other defense
10 work performed during the underlying litigation. The response should be filed by March
11 28, 2024, and should not exceed ten pages. KRRC may file a reply not exceeding five
12 pages by April 4.

13 The clerk shall **RENOTE** the motion for reconsideration for April 5, 2024.

14 **IT IS SO ORDERED.**

15 Dated this 14th day of March, 2024.

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18 BENJAMIN H. SETTLE
19 United States District Judge
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